

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

United States *ex rel.*, )  
                                  )  
ELIZABETH POWELL,         )  
                                  )  
Relator,                    ) Case No. 10-00487-RRA  
                                  )  
Plaintiff,                 )  
                                  )  
v.                            )  
                                  )  
THE PROCTER & GAMBLE )  
COMPANY,                    )  
                                  )  
Defendant.                 )

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**DEFENDANTS' ARTICLE II MOTION TO DISMISS, WITH PREJUDICE**

Defendant The Procter & Gamble Company (“P&G”) hereby moves the Court pursuant to FED. R. CIV. P. 12(b)(1) for an Order dismissing putative relator Elizabeth Powell’s (“Ms. Powell’s”) complaint against P&G, with prejudice. The reasons for this motion are set forth in the opening brief and exhibits being submitted in support of this motion.

Respectfully submitted on this the 15th day of March, 2011.

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**Attorneys for  
The Procter & Gamble Company**

**CERTIFICATE OF SERVICE**

I do hereby certify that on this the 15th day of March, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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